

MINNESOTA BOARD OF BARBER EXAMINERS
MONDAY May 23, 2011

Minutes

The Minnesota Board of Barber Examiners met on May 23, 2011 at 2829 University Avenue South East, Minneapolis, MN 55414; Fourth Floor, Conference Room A.

Board Members present: Frank Plant, Doug Klemenhausen, Jon Stone and Clarence Jones.

1) Call to Order

Chair Frank Plant called the meeting to order at 8:00am

2) Approve Agenda

Motion by member Klemenhausen to approve the agenda, second by member Jones, motion carried unanimously.

3) Approve Minutes

Motion by member Klemenhausen to approve the agenda, second by member Jones, motion carried unanimously.

4) Unfinished Business

A. Formation of an Advisory Committee

Statement of Task for the proposed Advisory Committee was present to the board by the Executive Secretary. Board Chair Frank Plant volunteered to take part in meetings and recommends that the task should be to collect ideas and get them in writing for the Board.

Chair Plant recognized Bill Dietman, instructor at the St. Cloud Correctional Facility Barber School for comment: Bill indicated that there is another advisory group that has been meeting for a long time and offered to send a list of members to the Executive Secretary for consideration of including members in the group being proposed. He also stated that this group is considering holding a meeting after July 1.

Membership: This group is anticipated to have approximately 10 members. Mr. Dietman commented that there are 25 to 30 members on the existing committee and he would like to see one group not two. There has not been attendance of Board members or board representatives to this existing group.

Chair Plant recognized Peggy Schmidt, Owner and Instructor Minnesota School of Barbering for comment: Peggy stated that she is a member of the advisory group through the Technical School also. She states that this group is focused on education issues including student retention and other non-barbing topics as well.

Board Chair Plant asked Mr. Dietman to forward the membership list to the Executive Secretary so that someone from that group may be invited to take part in the group being formed.

First Meeting – Pending Scheduling

5) Correspondence

A. Rep. Jeff Hayden regarding Frank Powell

Executive Secretary summarized the letter from Representative Hayden regarding Frank Powell's licensing. After some discussion it was determined that the draft letter prepared by the Executive Secretary should be mailed to Representative Hayden indicating that Mr. Powell may apply for and take the apprentice barber examination without completing 500 hours of additional barber education.

B. Pat Link regarding closure of complaint The Barbershop: A Hair Salon for Men
Executive Secretary summarized the correspondence for the Board.

Peggy Schmidt commented that Ms. Link is not the only individual unsatisfied by the result that the complaint was dismissed. Ms. Schmidt stated that she spoke with Representative Gunther and others and that the law is clear and the committee and its attorney are in error.

Board members and the Board's general council responded with descriptions of the process and the things that are considered in making a decision. The matter was referred back to the complaint committee for further consideration.

6) Rule Variance Requests

A. Pablo Diaz: Requests variance of 2100.0700 requiring that the entire examination be retaken.

English is a second language, Pablo requests to take the written part only.

Motion by member Klemenhausen that Pablo be allowed to retake the written portion of the exam in the Board office at a time to be scheduled, second by member Jones, motion carried unanimously.

B. Jeffery Scholl: Requests variance of 2100.7700 sub part 1 prohibiting the use of barbershop for other business purpose other than barbering unless the area is separated by a substantial partition extending from floor to ceiling

There is a tanning booth that has been in the shop since 1987, partition is approx. 1 foot short of the ceiling.

Mr. Scholl was not present for the meeting. Inspector Lawson summarized the physical location of the tanning bed and the business (money collected, tanning lotions, appointments etc...) being done within the barbershop at the barbershop counter. The tanning bed has been in the shop since the shop opened.

Motion by member Stone for Inspector Lawson to contact Mr. Scholl regarding closing off the tanning bed area by adding a curtain or latticework at the top of the wall to extend to the ceiling and moving all tanning products to the tanning area so that they are separate from the barber area. Second by member Klemenhausen, motion carried unanimously.

C. St. Cloud Correctional Facility School: Requests variance of 2100.5100 subpart 1 (E.) requiring desks for each student. The St. Cloud school has not had a classroom area with desks for students since it was first licenses. Seeking documentation of a variance from this rule for this school facility.

Bill Dietman stated that the school has not had classroom area and desks for students at any time as far as he is aware. Classroom instruction occurs in the same area as the floor activities.

John Mitchell instructor at the Moose Lake Correctional Facility Barber School indicates that they do have access to a classroom if needed however they too use the same space for both as they do at St. Cloud.

Motion by member Jones to grant the variance, second by member Stone, motion carried unanimously.

7) Inspector Report

Just over 300 inspections completed. Since the last report there has been some unlicensed activity discovered. Information regarding these instances has been forwarded to the Executive Secretary for follow-up or referral to the Complaint Committee.

The minimum goal for inspections is to complete ten per week. The average is to complete approx 15 inspections per week.

Inspector Lawson reports that he is generally being well received by the barbering community.

8) Complaint Committee Report

A. Summary of complaint process provided for Board review. This summary is currently available on the website as well; it will be updated as needed.

B. Activity for current fiscal year to date (7/1/2011-)
17 formal complaints have been filed, 11 have been closed, and 6 are active and in the process of investigation or settlement attempts.

C. Next meeting of the complaint Committee is scheduled for: July 7, 2011 – Closed Meeting

9) Executive Secretary Report

A. Licensing

There are 3155 active licenses including students, apprentices, masters, barbershops, schools and instructors as of May 16, 2011.

94 apprentice licenses that expired 12/31/2010 are pending renewal, 115 master barber licenses still pending renewal and currently slightly less than one half of the shops have renewed their licenses that are expiring 6/30/2011.

B. Examinations

Comparison of examination results from the former test to the new test that was first administered February 7, 2011:

46 % of apprentices are passing the new exam compared to 91% passing the old form of the exam. The exam was revised due to information that there was a copy of the test being passed around and available to the apprentice examinees. The scores are somewhat better than the first time the new exam was given and it is expected that the scores will continue to improve with time.

47% of registered (master) examinees are now passing the new exam as compared with 50% using the former exam. Some minor corrections will be made to the new home study course.

The Examination Committee will meet following this Board meeting to further evaluate the written examinations.

Peggy Schmidt commented that she had the opportunity to read the new exams and she believes them to be well done. She further indicates that she finds her students are studying more and being more attentive in the classroom since the exam has changed. Bill Dietman and John Mitchell also stated that they believe the exam has been improved with acknowledgment that it is very different than the prior test.

C. Legislative Update

Housekeeping language proposed was eliminated from SF887 in conference committee. Therefore there will be no changes to the Barber Statute this year.

Currently proposed budget continues without change at \$257,000.00. However the budget bills have not yet been passed and signed.

Chair Plant reminded the Board and those in attendance that provisions may need to be made for a government shutdown beginning July 1 if there is no resolution to the budget.

D. Policy and Procedures

The Executive Secretary and Board Staff are working to develop policies and procedures regarding the work being done within the office. It is the intention of the Executive Secretary to bring draft policies to the Board for approval as work continues to develop a procedural manual for the office so that in the event of staff turnover there will be guidance available.

Board Chair Plant asked if any such manual existed in the past. Executive Secretary Fisko replied that if so it has not been found in the office or archives although some historic board meeting minutes, and historic AG opinions have been located in the basement archives.

The following draft policies were presented:

Revenue Receipt, Deposit and Audit Procedure and Examinations Policy and Procedures

E. Fiscal Year to Date Revenue and Expenditure reports were provided to the Board. Revenue is on track to meet projections and funds remain for expenses. Board members were ask

about attendance at the September National Association of Barber Boards of America conference in Myrtle Beach and the potential to book travel now with the funds still available. Chair Plant and others ask that the Executive Secretary assure that the funding is available and that there are no restrictions on out of state travel that would affect attendance. Chair Plant indicated he would like to attend and will use his own funds if necessary.

10) New Business

Board Chair Plant called for any new business.

Bill Dietman indicated to the Board that he may be retiring and that he will be recommending to the Department of Corrections that the Barber School be moved to a medium facility. St. Cloud has become an intake facility, inmates often are transferred from the facility and it has become difficult for inmates to complete their barber education. He is seeking Board support for the recommendation of moving the school so that more students may graduate.

11) Call for Public Comments

Jerry Pitzrick addressed the board regarding the prohibition on mobile barbershops and providing services in homes. He told the Board that his daughter who is a barber has been approached by female members of the Somali community for hair cutting or hair care in their homes do to discomfort in uncovering their hair in public. In addition such accommodations or changes may be helpful for emotionally and/ or physically disabled individuals. Mr. Pitzrick shared that his daughter struggles with some social situations and therefore being in a traditional barbershop position has been difficult for her. A mobile business would provide a service to the community as well as assisting this barber to be successful. The possibilities will be referred to the Advisory Committee.

Chair Frank Plant noted that a registered barber who is retiring received a letter that his “apprentice” barber license was expiring. The Board officially apologizes to Mr. Fred Dempko for stating that his apprentice barber license expired. The Executive Secretary apologized to all the registered (master) barbers who received the expiration letter with the error. The letter was first sent to apprentice barbers and then revised for registered (master) barbers and the word apprentice was unintentionally left in the first line of the letter.

12) Meeting Schedule

Board Meetings

July 18, 2011 – Conference Room C

September 26, 2011- Conference Room A

November 21, 2011 – Conference Room A

Committee and other Meetings – Scheduled as needed

Complaint Committee- July 7, 2011 Board Office (Closed Meeting)

Advisory Group- TBD

13) Adjournment: Motion to adjourn by member Stone, second by member Klemenhausen, motion carried unanimously. Meeting adjourned at 9:10am.